

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**PEDRO RAMOS-GUERRA and
CARLOS ALBERTO CUEVAS-ALMONTE,**

Defendants.

Case No. 3:19-cr-0076

APPEARANCES:

DELIA SMITH, UNITED STATES ATTORNEY
ADAM FRANCIS SLEEPER, ASSISTANT UNITED STATES ATTORNEY
UNITED STATES ATTORNEY'S OFFICE
ST. THOMAS, U.S. VIRGIN ISLANDS
FOR THE UNITED STATES OF AMERICA

MATTHEW A. CAMPBELL, FEDERAL PUBLIC DEFENDER
KIA DANIELLE SEARS, ASSISTANT FEDERAL PUBLIC DEFENDER
OFFICE OF THE FEDERAL PUBLIC DEFENDER
ST. THOMAS, U.S. VIRGIN ISLANDS
FOR DEFENDANT PEDRO RAMOS-GUERRA

JOSEPH A. DiRUZZO, III, Esq.
DiRUZZO & COMPANY
FT. LAUDERDALE, FLORIDA
FOR DEFENDANT CARLOS ALBERTO CUEVAS-ALMONTE

ORDER

BEFORE THE COURT is Defendant Carlos Alberto Cuevas-Almonte's ("Cuevas-Almonte") Motion to Declare DHS's *Touhy* Regulations Inapplicable, [or] in the alternative, to Declare 5 U.S.C. § 301 Unconstitutional & Invalidate 6 C.F.R. § 5.41 *et seq.* (ECF No. 57.) For the reasons stated in the accompanying Memorandum Opinion of even date, it is hereby

ORDERED that Defendant Carlos Cuevas-Almonte's Motion to Declare DHS's *Touhy* Regulations Inapplicable, [or] in the alternative, to Declare 5 U.S.C. § 301 Unconstitutional &

United States v. Ramos-Guerra, et al.

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Invalidate 6 C.F.R. § 5.41 *et seq.*, ECF No. 57, is **DENIED**.

Dated: February 14, 2023

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge